

GENERAL ORDER NO. 47

EXECUTIVE COMMITTEE

A. Introduction.

The established procedure of this Court is that all policy decisions be made by the Court as a whole. However, on a day-to-day basis, there are many decisions with respect to the administration of those policies which may be delegated to a committee. Furthermore, it is in the best interest of the Court to have a process for obtaining a variety of viewpoints regarding administrative decisions and to be able to have those decisions made quickly and efficiently.

This General Order establishes an Executive Committee as a Standing Committee of the Court. The Executive Committee shall act for the Court between regular meetings of the Court and shall make administrative decisions in execution of policies made by the Court. Meetings of the Executive Committee shall not be a substitute for the regular monthly meetings of the Court.

B. Membership.

The Executive Committee of the Court shall be a Standing Committee of the United States District Court for the Northern District of California. The Executive Committee shall consist of five voting members and one *ex officio* member as follows:

1. The Chief Judge, who will serve as Chair of the Executive Committee;
 2. The Judge who serves as Chair of the Budget Committee of the Court;
 3. A Judge sitting in the San Francisco Courthouse, based upon active judge seniority;
 4. A Judge sitting in the Oakland Courthouse, based on active judge seniority; and
 5. A Judge sitting in the San Jose Courthouse based on active judge seniority.
6. An invitation shall be extended to the Immediate Past Chief Judge of the Court to serve *ex officio* without vote.

C. Term.

Initial members shall serve a term of either two or three years as determined by a drawing of lots. Afterward, each member (except *ex officio*) shall serve for a period of three years. Members may serve no more than one consecutive three-year term. If any of the three judges selected on the basis of seniority is unable to serve out is or her term, the judge sitting in that courthouse who is next in seniority among the active judges shall become a member. If a judge assumes an unexpired term vacated by another judge, the assuming judge shall serve for three years starting on the day following the last day of service of the judge who did not complete his or her service.

D. Meetings.

The Executive Committee shall meet every other week, unless canceled by the Chief Judge. Special Executive Committee meetings may be called by the Chief Judge at any time or upon the request of three members of the Executive Committee. Attendance at meetings is required, unless excused by the Chief Judge. Members may attend telephonically or through video conference. Three members of the Committee shall constitute a quorum.

E. Authority, Duties and Responsibilities.

The Executive Committee shall have the following authority, duties and responsibilities:

1. To act for the Court on all matters pertaining to the day-to-day administration of policies which have been adopted by the Court;
2. To make personnel decisions, except those requiring action by the Court as a whole. Where a plan or procedure requires referral to the Chief Judge, the Executive Committee may act on behalf of the Chief;
3. To issue official public statements on behalf of the Court;
4. To make allocations of chambers, courtrooms and offices;
5. To act as the Assignment Committee;
6. To make recommendations to the Chief Judge with respect to membership and structure of standing or ad hoc committees of the Court;
7. To make recommendations for consideration by the Court as a whole on any matter which would be the subject of a General Order or a court-wide policy or procedure;
8. To serve as the judges from whom the Chief Judge shall select for appointment as Acting Chief Judge when the Chief Judge is absent from the District;
9. To assist the Chief Judge in such matters as the Chief or the Court may request.

F. Agendas and Minutes

The agenda and minutes of the Executive Committee shall be distributed promptly to the full Court. Any active District Judge may initiate review of any action taken by the Executive Committee by requesting the Chief Judge to place the matter on the agenda for the next regularly scheduled meeting of the Executive Committee. The requesting Judge shall be invited to attend the meeting. Review of any Executive Committee decision by the full Court may be initiated by the joint request of at

least three active District Judges.

ADOPTED BY THE COURT: May 25, 1999

FOR THE COURT:

/S/

MARILYN HALL PATEL

Chief Judge